

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA :
v. : 19 Cr. 373 (PGG)
MICHAEL AVENATTI :
Defendant. :

**DEFENDANT MICHAEL AVENATTI'S NOTICE OF MOTION
TO DISMISS THE INDICTMENT FOR VINDICTIVE AND
SELECTIVE PROSECUTION, AND FOR DISCOVERY**

PLEASE TAKE NOTICE, that upon the Declaration of Scott A. Srebnick, Esq., the exhibits thereto, and the accompanying Memorandum of Law, defendant Michael Avenatti will move this Court before the Honorable Paul G. Gardephe at the United States Courthouse, 500 Pearl Street, Courtroom 705, New York, New York 10007, for an Order dismissing the Indictment or, in the alternative, for discovery on this motion.¹

PLEASE TAKE FURTHER NOTICE, that upon prior order of the Court (Doc. #20), the Government's opposition papers are due by September 19, 2019, and Defendant's reply papers, if any, are due by October 3, 2019.

Dated: August 14, 2019

¹ The Declaration will be filed as soon as the parties resolve any possible redactions to the exhibits pursuant to the Protective Order (Doc. #16).

Respectfully submitted,

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Attorneys for Defendant Michael Avenatti

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2019, I caused a true and correct copy of the foregoing to be served by electronic means, via the Court's CM/ECF system, on all counsel registered to receive electronic notices.

/s/Scott A. Srebnick
Scott A. Srebnick